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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,396	09/24/2001	Stephen McCann	3036/50289	5628

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EXAMINER

WILLIAMS, JEFFERY L

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

*ML*

**Office Action Summary**

Application No.

09/960,396

Applicant(s)

MCCANN ET AL.

Examiner

Jeffery Williams

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Specification***

The abstract of the disclosure is objected to because an abstract may not exceed 150 words in length. Correction is required. See MPEP § 608.01(b).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1 – 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turunen, “Mobile internet access”, EP 0 944 203 A2 in view of Salo et al., “Data Center for Providing Subscriber Access to Data Maintained on an Enterprise Network”, U.S. Patent 6,563,800 B1 and in view of Mouly et al., “GSM System for mobile communications”.**

Regarding claim 1, Turunen discloses an access authentication system for authenticating access to a first wireless local area network (W-LAN), the operator of which administers a visitor authentication, authorisation and accounting (VAAA) server:

1        *wherein a user requesting visiting access to the first W-LAN, and having a valid*  
2        *cellular mobile account, a portable computing device with a browser and a registration*  
3        *with a second W-LAN operator that administers a home authentication, authorisation*  
4        *and accounting (HAAA) server, conveys to the VAAA server, by user intervention,*  
5        *identity information sufficient to enable said VAAA server to communicate with said*  
6        *HAAA server so as to authenticate the proposed connection (Turunen, fig. 3). Turunen*  
7        *discloses the user having a cellular account and a portable computing device connected*  
8        *to a mobile phone, the arrangement allowing the user to use the phone for internet*  
9        *access (Turunen, col. 1, lines 34-49). Seeking internet access while on a foreign*  
10       *network, the user registers with the FA ("VAAA") server, which in turn, provides*  
11       *communication to the HA ("HAAA") server (Turunen, fig. 3; col. 2, lines 28-43).*  
12       *Registration includes the sending of authentication information from the mobile user to*  
13       *the FA server to the HA server (Turunen, col. 3, lines 50-58);*  
14       *said HAAA issuing a personal identification number (PIN) which is encoded and*  
15       *forwarded to the user's mobile telephone (Turunen, col. 5, lines 37-45; col. 6, lines 45-*  
16       *56). The authentication key ("PIN") is sent via the GSM SMS and is therefore encoded.*

17  
18       *Turunen does not disclose that the PIN is transferred to the browser to*  
19       *authenticate the requested visiting access to the W-LAN. Salo et al., however,*  
20       *discloses that a user with a computing device and browser authenticates himself to a*  
21       *network by supplying a PIN to a browser (Salo et al., col. 9, lines 4-17). It would have*  
22       *been obvious to one of ordinary skill in the art to combine the method disclosed by Salo*

1 et al. for transferring a PIN to a browser for network authentication with the system of  
2 Turunen, because transferring authentication information via a browser to a server  
3 would enable one to gain network access.  
4

5 The combination of Turunen and Salo et al. does not disclose *the cost of such*  
6 *access being billed to the user's cellular mobile account and the requested access*  
7 *being achieved via the user's browser.* However, it is obvious that management  
8 standards for GSM networks would be incorporated in systems that utilize the GSM  
9 network. Thus, a user employing the GSM network for internet access would be billed  
10 for the services he consumes, and that the billing would be applied to the account he  
11 uses to obtain such services. Mouly et al., demonstrates this obvious by showing that it  
12 is standardized GSM management procedure for the subscription of a GSM account  
13 holder, who uses the services of foreign networks, be billed for such use (Mouly et al.,  
14 pg. 435, par. 2; pg. 439, pars. 4,5). It would have been obvious to one of ordinary skill  
15 in the art to use the standard GSM management procedures, including the disclosed  
16 billing method, of Mouly et al. with the combination of Turunen and Salo et al., because  
17 it is obvious that a GSM subscriber would have the costs for the services he uses billed  
18 to his account.  
19  
20

21 Regarding claim 2 the combination of Turunen, Salo et al., and Mouly discloses:

1 *wherein the transfer of the PIN to the browser is effected manually by the user* (Salo et  
2 *al.*, col. 9, lines 4-17).

3  
4       Regarding claim 3 the combination of Turunen, Salo et al., and Mouly does not  
5 disclose *wherein the portable computing device is coupled to the mobile telephone and*  
6 *the transfer of the PIN to the browser is effected automatically by means including*  
7 *software supported by the portable computing device.* However, it would have been  
8 obvious to one of ordinary skill in the art, based upon legal precedent, to have the PIN  
9 transferred to the browser automatically using appropriate means for such automation  
10 because it is obvious to provide an automatic means as replacement to a manual  
11 means (In re Venner, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958).

12  
13       Regarding claim 4 the combination of Turunen, Salo et al., and Mouly discloses:  
14 *wherein the PIN issued by the HAAA is encoded and forwarded to the user's mobile*  
15 *telephone by means of a short message service centre* (Turunen, col. 4, lines 41-50;  
16 col. 6, lines 51-56).

17  
18       Regarding claim 5 the combination of Turunen, Salo et al., and Mouly discloses:  
19 *wherein the user employs the browser to convey said identity information, via the first*  
20 *W-LAN, to the VAAA* (Turunen, col. 3, lines 50-55; Salo et al., col. 9, lines 4-17).,

21  
22       Regarding claim 6 the combination of Turunen, Salo et al., and Mouly discloses:

wherein the PIN is combined with masking information (Turunen, col. 5, lines 37-45; col. 6, lines 45-56). The authentication key ("PIN") is sent via the GSM SMS and is therefore encoded ("combined with masking information").

Regarding claim 8, the combination of Turunen, Salo et al., and Mouly discloses:  
*wherein the user calls the VAAA on the mobile telephone* (Turunen, figs. 3, 4). The mobile user communicates with the FA through a mobile telephone.

## Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery Williams whose telephone number is (571) 272-7965. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jeffery Williams  
(571) 272 – 7965  
March 18, 2005

  
**ANDREW CALDWELL**  
**SUPERVISORY PATENT EXAMINER**